

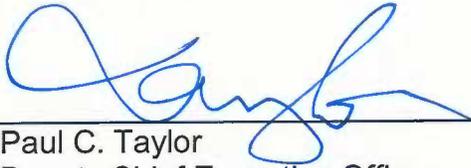
**Metro**Los Angeles County  
Metropolitan Transportation AuthorityOne Gateway Plaza  
Los Angeles, CA 90012-2952213.922.2000  
metro.net**EXECUTIVE MANAGEMENT COMMITTEE  
APRIL 19, 2012****SUBJECT: STATE LEGISLATION****ACTION: ADOPT STAFF RECOMMENDED POSITIONS****RECOMMENDATION**

- A) **AB 1446 (Feuer)** – Would remove the sunset date in Measure R and authorize an extension to be placed on the ballot. **SUPPORT**
- B) **AB 2247 (B. Lowenthal)** – Would authorize Metro's Transit Court to administratively process violations for vending on our system. **SUPPORT WORK WITH AUTHOR**
- C) **TBD (TBD)** - Retention of revenues from sale of properties in the SR710 Corridor. **SUPPORT**
- D) **SB 1117 (DeSaulnier)** – Would require CTC to prepare a statewide passenger rail transportation plan for adoption by September 2014. **SUPPORT**

**ATTACHMENTS**

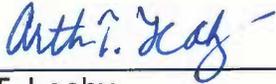
Attachments: A, B, C &amp; D

Prepared by: Michael Turner, State Affairs Director  
Marisa Yeager, Federal and State Affairs Manager  
Desarae Jones, Assistant Administrative Analyst



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Paul C. Taylor  
Deputy Chief Executive Officer



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Arthur T. Leahy  
Chief Executive Officer

**BILL:** AB 1446  
**AUTHOR:** ASSEMBLYMEMBER MIKE FEUER  
(D- LOS ANGELES)  
**SUBJECT:** AUTHORIZATION TO EXTEND MEASURE R  
**STATUS:** ASSEMBLY LOCAL GOVERNMENT COMMITTEE  
**ACTION:** SUPPORT

**RECOMMENDATION**

Staff recommends that the Board support AB 1446 which would authorize the Board to place an extension of Measure R on a future ballot.

**ISSUE**

Measure R is established as a 30 year tax under state law. AB 1446 would authorize Metro to place a measure on the ballot that would allow voters to extend the tax for an unspecified time.

**PROVISIONS**

AB 1446 would authorize the Metro Board of Directors to place an extension of Measure R on a future ballot.

Specifically AB 1446 would:

- Eliminate the 30 year sunset date for Measure R;
- Require that Metro bond against the revenues of the tax and use the proceeds of the bonds to accelerate the highway and transit projects in Measure R;
- Require Metro to amend the expenditure plan dates which identifies dates when funds are anticipated to be available for projects and when the projects are anticipated to be completed.

**DISCUSSION**

By authorizing an extension of Measure R, AB 1446 would create a mechanism by which Metro could accelerate the highway and transit projects in Measure R. The bill

does not specify the timeframe by which the measure can be extended and therefore allows the Board discretion as to the extension.

AB 1446 is consistent with our efforts to accelerate projects as outlined in America Fast Forward and is complementary to that effort. The Measure R projects would be accelerated by securitizing the future revenues beyond the current expiration date in Measure R. Should additional tools, such as those specifically proposed in America Fast Forward, become available then our ability to accelerate projects, beyond what we could do through an extension, would be further enhanced.

The bill does require that Metro issues bonds against the revenue of the tax and requires that the proceeds of these bonds be used to accelerate the highway and transit projects specifically identified in the state legislation governing Measure R. Additionally the Board would be required to amend the expenditure plan in Measure R to modify the dates by which funds would be available to projects and when projects are anticipated to be completed.

Staff believes that AB 1446 provides an opportunity to accelerate the projects in Measure R and is consistent with our legislative and America Fast Forward programs. We therefore recommend that the Board adopt a Support position on AB 1446.

**AB 1446 is supported by:**

LA Chamber of Commerce  
LA Business Council  
State Building and Construction Trades Council, AFL-CIO  
American Council of Engineering Companies (ACEC California)

**AB 1446 is opposed by:**

Howard Jarvis Taxpayers Association  
CalTax

**DETERMINATION OF SAFETY IMPACT**

Staff has reviewed this proposal and has determined that the legislation will not have an impact on safety.

**FINANCIAL IMPACT**

Should the board decide to move forward with an extension of Measure R, then our agency will be able to accelerate the transit and highway projects in Measure R and will be able to provide an ongoing stream of funding for projects beyond the current 30 year sunset in Measure R.

## **ALTERNATIVES CONSIDERED**

Staff considered two alternatives to the proposed recommendation. First is that we could opt not to take a formal position on the legislation. This alternative was rejected because it would not be consistent with our Legislative Program, nor, would it be consistent with our efforts to accelerate the projects in Measure R. Additionally staff considered the option of amending the legislation to be more prescriptive. Staff rejected this option as it would not allow the board flexibility in developing an investment plan of these revenues.

## **NEXT STEPS**

Should the Board decide to support AB 1446 staff will work with the Assembly Member to pursue passage of the legislation. The Board would still need to make additional decisions relating to the preparation of an ordinance and to authorize the placement of that ordinance on the ballot. Those actions, although related to the legislation, will be considered separately.

**BILL:** AB 2247

**AUTHOR:** ASSEMBLYMEMBER BONNIE LOWENTHAL  
(D- LONG BEACH)

**SUBJECT:** AUTHORIZATION TO PROCESS VIOLATIONS FOR THE  
UNAUTHORIZED SALE OF GOODS IN METRO TRANSIT  
FACILITIES AND VEHICLES

**STATUS:** ASSEMBLY PUBLIC SAFETY COMMITTEE  
HEARING APRIL 17, 2012

**ACTION:** SUPPORT WORK WITH AUTHOR

**RECOMMENDATION**

Staff recommends that the Board approve a SUPPORT WORK WITH AUTHOR position on AB 2247, which would authorize Metro to process violations administratively for unauthorized sale of goods and merchandise in Metro transit facilities and vehicles.

**ISSUE**

Current law established the administrative process (AB 426) to authorize Metro's Transit Court to handle transit citations. The administrative process that applies to fare evasion and other transit related infractions does not currently apply to illegal vending along Metro's transit system and in Metro's vehicles.

**PROVISIONS**

AB 2247 would:

- Authorize Metro, through Metro's established Transit Court to administratively process citations for the unauthorized sale of goods and merchandise in Metro's facilities and vehicles by categorizing the infraction as a civil offense;
- Increase the penalties associated with unauthorized vending in Metro's transit facilities and vehicles.

**DISCUSSION**

Metro staff has worked closely with the Los Angeles County Sheriff's Department (LASD) on the implementation of Metro's Transit Court to administratively manage the issues related to violations related to fare evasion, trespassing, and other illegal activities in Metro's transit facilities and vehicles. The LASD has sponsored AB 2247 to

take this process a step further, by giving Metro authority to also administratively process violations for the sale or peddling of any goods, merchandise, property or services of any kind on Metro's transit facilities and vehicles. It is noted that this process would not repeal any provisions related to minors and violations would continue to be processed through the juvenile court system.

Specifically, Metro's Transit Court will be authorized to implement an administrative process for the civil offenses related to illegal vending. Currently, vendors are permitted to purchase permits directly from Metro for vending at specified locations along Metro's transit system. This bill would seek to target vendors who operate illegally on trains and platforms, without permits or express permission to do so. AB 2247 also creates provisions for handling citations for repeat offenders.

Under current law, the courts have jurisdiction to handle infraction offenses related to illegal vending, by which the violator is given notice to appear in court on a specific date to have his or her case heard and tried accordingly. At the same time, existing law also affords specified transit agencies the authority to establish an alternative "decriminalized" process, by allowing certain violations that occur within their systems to be handled administratively. The aim of AB 2247 is to extend that authority to transit agencies, and alleviate the court system of the burden of processing thousands of violations that can be handled expeditiously and with better alternatives and less penalties for violators through Metro's Transit Court.

Staff recommends that the Board adopt a support work with author position on AB 2247. Metro staff would like to continue to work with the author to amend specific language related to bifurcation, ticketing processes, and proper service of notice of violations. Staff believes it would be appropriate at this time to support work with author on this legislation.

### **DETERMINATION OF SAFETY IMPACT**

Staff has reviewed the proposal and has found that it would have no impact to safety.

### **FINANCIAL IMPACT**

This legislation has no immediate financial impact to the agency; however, the funds collected from fines for violations related to illegal vending would be deposited into Metro's general fund. Also, requiring that vendors purchase specific permits authorize the sale goods and merchandise will also generate additional revenue.

### **ALTERNATIVES CONSIDERED**

Staff has considered one alternative to the recommended position. Without the provisions of the legislation, LASD and Metro Transit Court will continue to issue and process citations per the current ordinance, under which, illegal vending is a criminal violation.

## **NEXT STEPS**

Should the Board decide to adopt the support work with author position on AB 2247, staff will work with the Assembly Member to pursue additional amendments and subsequently pursue passage of the legislation.

**BILL:** TBD  
**AUTHOR:** TBD  
**SUBJECT:** RETENTION OF REVENUES FROM SALE OF EXCESS  
PROPERTIES IN THE SR-710 STUDY AREA  
**STATUS:** TO BE INTRODUCED  
**ACTION:** SUPPORT

**RECOMMENDATION**

Staff recommends that the Board support legislation that would allow revenues from sale of properties within the State Route 710 (SR-710) study area to be retained within the SR-710 study area.

**ISSUE**

As the SR-710 study progresses, decisions may be made regarding the sale of properties in the corridor. Staff recommends that while the decision to sell the properties has yet to be made, it is appropriate to ensure that the revenues from the sale remain in the SR-710 study area.

**PROVISIONS**

The proposal would:

- Authorize all proceeds received by Caltrans from the sale of excess properties in the SR-710 study area to be retained in the study area.

**DETERMINATION OF SAFETY IMPACT**

Staff has reviewed this proposal and has determined that the legislation will not have an impact on safety.

**FINANCIAL IMPACT**

Further financial impact analysis needs to be completed to determine the amount of revenue that would be generated by the sale of the properties. The diversion of the funds from the sale of the excess properties within the SR-710 study area could create a funding stream for Metro's current and future plans for improvements in the study area.

## **DISCUSSION**

Existing law allows Caltrans, whenever it determines that any real property, previously acquired by the state for highway purposes, is no longer necessary, to sell or exchange it based on direction by the California Transportation Commission (CTC). The proposed legislation would give authority for the CTC and Caltrans to retain funds in the study area for State Route 710.

The need for the sale of excess properties within the State Route 710 study area is contingent upon the final approved design for the SR-710 project. The sale would also be subject to the terms of the "Roberti Bill" which outlines specific provisions for the sale of the more than 500 properties currently owned by Caltrans within the study area.

Staff recommends a Support position on the proposed legislation.

## **ALTERNATIVES CONSIDERED**

Staff has evaluated the effects of the proposal, and has found that if funds are not preserved for transportation projects in Los Angeles County and also within the SR-710 study area, the money generated from the sale of the excess properties could be re-allocated to the state highway fund, and would be subject to formula distribution based on decisions by CTC and Caltrans.

## **NEXT STEPS**

Should the Board decide to adopt the Support position on the proposal, staff will work with the State Legislature to pursue an author and subsequently pursue passage of the legislation.

**BILL:** SB 1117

**AUTHOR:** ASSEMBLYMEMBER MARK DESAULNIER  
(D-CONCORD)

**SUBJECT:** STATEWIDE TRANSPORTATION PLAN FOR PASSENGER  
RAIL

**STATUS:** SENATE TRANSPORTATION AND HOUSING  
HEARING APRIL 24, 2012

**ACTION:** SUPPORT

**RECOMMENDATION**

Staff recommends that the board adopt a SUPPORT position on SB 1117.

**ISSUE**

The Department of Transportation prepares a statewide rail plan based on parameters set in state law. There have been significant changes in state law relative to rail transportation in California such as the proposed investments in high speed rail as well as laws such as SB 375 which mandate a reduction in vehicle miles travelled. It is appropriate at this time to update the requirements of the statewide rail plan to incorporate these issues.

**PROVISIONS**

SB 1117 would:

- Update the required elements that must be included in the statewide rail plan to reflect new issues relative to rail transportation in California.
- Require the plan to address the investment in Phase I of the California High Speed Rail project which includes the connection to Los Angeles Union Station.
- Require the plan to address the role of rail transportation in reducing greenhouse gas emissions and vehicle miles travelled as required by SB 375.

**DISCUSSION**

The California Department of Transportation (Caltrans) prepares a 10 year statewide rail plan which is updated every two years. The plan must address various issues which are outlined in state law. These required elements have not been modified recently and do not incorporate significant changes in the state's rail system such as the potential investment in high speed rail and SB 375. Updating the plan to incorporate these issues will provide the state with a more balanced plan for rail in the state.

Our region has tremendous potential to benefit from the growth in rail transportation and an updated plan will reflect that potential. In Los Angeles alone taxpayers voted overwhelmingly for the largest investment in rail transit in the country. We have also supported the investment in HSR which will connect directly to our rail system and we are moving forward on a local governance mechanism for the intercity rail line that traverses our county.

It is appropriate for the statewide rail plan to be updated and we believe this document could become much more useful and important as a guide to state when making decisions about investments in rail transportation. Staff therefore recommends that the Board adopt a Support position on SB 1117.

#### **DETERMINATION OF SAFETY IMPACT**

Staff has reviewed this proposal and has determined that the legislation will not have an impact on safety.

#### **FINANCIAL IMPACT**

An update plan could reflect the need to invest in rail transportation which would benefit rail transportation programs at the state and local level.

#### **ALTERNATIVES CONSIDERED**

Staff considered not adopting a position on this measure. This alternative was rejected because it would not allow us an opportunity to advance transportation issues important to our county.

#### **NEXT STEPS**

Should the Board decide to adopt the support position on SB 1117, staff will work with the Senator to pursue passage of the legislation.